



General Assembly

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Amendment

LCO No. 4782

HB0549504782HDO

Offered by:

REP. HAMM, 34th Dist.
REP. SERRA, 33rd Dist.
REP. O'ROURKE, 32nd Dist.

REP. KALINOWSKI, 100th Dist.
SEN. GAFFEY, 13th Dist.
SEN. DOYLE, 9th Dist.

To: Subst. House Bill No. 5495

File No. 395

Cal. No. 226

"AN ACT CONCERNING THE TRANSITION OF YOUTH FROM THE CARE OF THE DEPARTMENT OF CHILDREN AND FAMILIES TO THE DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 17a-3 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective January 1, 2010*):

5 (a) The department shall plan, create, develop, operate or arrange
6 for, administer and evaluate a comprehensive and integrated
7 state-wide program of services, including preventive services, for
8 children and youths whose behavior does not conform to the law or to
9 acceptable community standards, or who are mentally ill, including
10 deaf and hearing impaired children and youths who are mentally ill,
11 emotionally disturbed, substance abusers, delinquent, abused,

12 neglected or uncared for, including all children and youths who are or
13 may be committed to it by any court, and all children and youths
14 voluntarily admitted to, or remaining voluntarily under the
15 supervision of, the commissioner for services of any kind. Services
16 shall not be denied to any such child or youth solely because of other
17 complicating or multiple disabilities. The department shall work in
18 cooperation with other child-serving agencies and organizations to
19 provide or arrange for preventive programs, including, but not limited
20 to, teenage pregnancy and youth suicide prevention, for children and
21 youths and their families. The program shall provide services and
22 placements that are clinically indicated and appropriate to the needs of
23 the child or youth. In furtherance of this purpose, the department
24 shall: (1) (A) Maintain the Connecticut Juvenile Training School and
25 other appropriate facilities exclusively for [delinquents] the placement
26 of delinquent children under sixteen years of age, and (B) maintain
27 other appropriate facilities exclusively for the placement of delinquent
28 children sixteen years of age and older; (2) develop a comprehensive
29 program for prevention of problems of children and youths and
30 provide a flexible, innovative and effective program for the placement,
31 care and treatment of children and youths committed by any court to
32 the department, transferred to the department by other departments,
33 or voluntarily admitted to the department; (3) provide appropriate
34 services to families of children and youths as needed to achieve the
35 purposes of sections 17a-1 to 17a-26, inclusive, 17a-28 to 17a-49,
36 inclusive, of the 2008 supplement to the general statutes and 17a-51; (4)
37 establish incentive paid work programs for children and youths under
38 the care of the department and the rates to be paid such children and
39 youths for work done in such programs and may provide allowances
40 to children and youths in the custody of the department; (5) be
41 responsible to collect, interpret and publish statistics relating to
42 children and youths within the department; (6) conduct studies of any
43 program, service or facility developed, operated, contracted for or
44 supported by the department in order to evaluate its effectiveness; (7)
45 establish staff development and other training and educational
46 programs designed to improve the quality of departmental services

47 and programs, provided no social worker trainee shall be assigned a
48 case load prior to completing training, and may establish educational
49 or training programs for children, youths, parents or other interested
50 persons on any matter related to the promotion of the well-being of
51 children, or the prevention of mental illness, emotional disturbance,
52 delinquency and other disabilities in children and youths; (8) develop
53 and implement aftercare and follow-up services appropriate to the
54 needs of any child or youth under the care of the department; (9)
55 establish a case audit unit to monitor each area office's compliance
56 with regulations and procedures; (10) develop and maintain a database
57 listing available community service programs funded by the
58 department; (11) provide outreach and assistance to persons caring for
59 children whose parents are unable to do so by informing such persons
60 of programs and benefits for which they may be eligible; and (12)
61 collect data sufficient to identify the housing needs of children served
62 by the department and share such data with the Department of
63 Economic and Community Development.

64 (b) The department shall prepare and submit biennially to the
65 General Assembly a five-year master plan. The master plan shall
66 include, but not be limited to: (1) The long-range goals and the current
67 level of attainment of such goals of the department; (2) a detailed
68 description of the types and amounts of services presently provided to
69 the department's clients; (3) a detailed forecast of the service needs of
70 current and projected target populations; (4) detailed cost projections
71 for alternate means of meeting projected needs; (5) funding priorities
72 for each of the five years included in the plan and specific plans
73 indicating how the funds are to be used; (6) a written plan for the
74 prevention of child abuse and neglect; (7) a comprehensive mental
75 health plan for children and adolescents, including children with
76 complicating or multiple disabilities; (8) a comprehensive plan for
77 children and youths who are substance abusers, developed in
78 conjunction with the Department of Mental Health and Addiction
79 Services pursuant to the provisions of sections 19a-2a and 19a-7; and
80 (9) an overall assessment of the adequacy of children's services in

81 Connecticut. The plan shall be prepared within existing funds
82 appropriated to the department.

83 (c) The department shall prepare a plan to keep children under the
84 age of sixteen who are convicted as delinquent and will be committed
85 to the Department of Children and Families and placed in the
86 Connecticut Juvenile Training School in such facility for at least one
87 year after their referral to the department, which plan shall include
88 provisions for development of a comprehensive approach to juvenile
89 rehabilitation.

90 Sec. 502. Section 17a-3a of the general statutes is repealed and the
91 following is substituted in lieu thereof (*Effective January 1, 2010*):

92 The Department of Children and Families shall ensure that the
93 Connecticut Juvenile Training School:

94 (1) Completes health, mental health and educational assessments for
95 each child admitted to the school not later than thirty days from the
96 date of such child's admission;

97 (2) Completes a written individualized treatment plan for each child
98 admitted to the school not later than thirty days from the date of such
99 child's admission;

100 (3) Complies with the provisions of sections 46a-150 to 46a-154,
101 inclusive, of the 2008 supplement to the general statutes regarding the
102 use of physical restraints, medication and seclusion of children at the
103 school;

104 (4) Provides training to all staff at the school regarding their
105 mandatory child abuse and neglect reporting obligations under section
106 17a-101;

107 (5) Provides the opportunity for each child at the school to engage in
108 at least one hour of physical exercise per day on weekdays and at least
109 two hours of physical exercise per day on the weekends; and

110 (6) Limits admission to children under the age of sixteen.

111 Sec. 503. Subsection (c) of section 17a-12 of the general statutes is
112 repealed and the following is substituted in lieu thereof (*Effective*
113 *January 1, 2010*):

114 (c) Notwithstanding the provisions of subsection (b) of this section,
115 (1) any delinquent child under the age of sixteen, if a male, may be
116 placed at any time in the Connecticut Juvenile Training School, and (2)
117 the commissioner may transfer any child or youth committed to the
118 commissioner to any institution, hospital or facility for mentally ill
119 children under the commissioner's jurisdiction for a period not to
120 exceed fifteen days if the need for such emergency treatment is
121 certified by a psychiatrist licensed to practice medicine by the state.

122 Sec. 504. Subsection (j) of section 46b-140 of the 2008 supplement to
123 the general statutes is repealed and the following is substituted in lieu
124 thereof (*Effective January 1, 2010*):

125 (j) Except as otherwise provided in this section, the court may order
126 a child be (1) committed to the Department of Children and Families
127 and be placed directly in a residential facility within this state and
128 under contract with said department, or (2) committed to the
129 Commissioner of Children and Families for placement by the
130 commissioner, in said commissioner's discretion, (A) with respect to
131 the juvenile offenders determined by the Department of Children and
132 Families to be the highest risk, in the Connecticut Juvenile Training
133 School, if the juvenile offender is a male under the age of sixteen, or in
134 another state facility, presumptively for a minimum period of twelve
135 months, or (B) in a private residential or day treatment facility within
136 or outside this state, or (C) on parole. The commissioner shall use a
137 risk and needs assessment classification system to ensure that male
138 children under the age of sixteen who are in the highest risk level will
139 be placed in the Connecticut Juvenile Training School."